

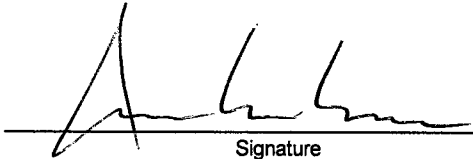
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PTO/SB/33 (08-08)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on _____</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		Application Number	Filed
		10/615,700	7/8/2003
		First Named Inventor	
		Jouji Wada	
		Art Unit	Examiner
		2621	David J. Czekaj
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>32923</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

  
\_\_\_\_\_  
Signature  
James M. Moore  
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September 16, 2008  
\_\_\_\_\_  
Date

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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None of the cited prior art separately or in combination teaches a pan/tilt surveillance camera having a watchdog timer reset a frozen microprocessor by moving the camera against a microprocessor reset switch. Normally, the camera position is controlled in response to the microprocessor, but when the microprocessor is frozen, the reset movement is not under microprocessor control.

It is important to note that this camera includes two positioning regimes: one for imaging under control of the microprocessor and one for resetting the microprocessor itself. The cited references cannot be combined to form this invention.

Sergeant et al teaches a conventional pan/tilt camera with microprocessor control. Smith teaches a camera that uses limit switches to control the limits of camera movement. Kawai teaches a multi-user camera system that allows an individual user to take control of camera movement. Shibata teaches a watchdog timer that directly resets a microprocessor. There is nothing that teaches or even suggests the use of positioning to reset a frozen microprocessor.

Claim 1 has a camera drive control unit that is "operative to take two different control states consisting of a first control state . . . and a second control state under which said camera unit is driven to move . . . to have said micro-computer unit recovered from said frozen state".

Claim 8 has similar language with respect to the holder drive control unit.

These drive control units are respectively responsive to not only the micro-computer unit, but also, to the control state setting unit. This occurs even when the micro-computer unit itself is frozen.

The pan and tilt controls of Sergeant et al. are only responsive to the microcontroller.

The pan control of Smith is similarly only responsive to the "control circuit" and has no alternate mode of operation if the control circuit is frozen.

The camera controller of Kawai is only responsive to the communications controller and has no alternate mode of operation if the communications controller is frozen.

Shibata has no pan or tilt controller and just teaches a watchdog timer for directly resetting a microcomputer.

The Examiner has rejected claims 1-2 and 4-7 as being unpatentable over Sergeant et al. in view of Kawai, in further view of Smith in further view of Shibata.

The Examiner cites Sergeant et al. as teaching pan and tilt operation of a surveillance camera, including a camera driving unit.

The Examiner cites Kawai as teaching a micro-computer unit for producing a positional signal and being operative to take two different states.

However, claim 1 includes the limitation that one of the states is an "irregular state caused by the micro-computer unit being in a frozen state". No such limitation

is found in Kawai, which deals with states established by a stop button (which the micro-computer unit accepts as input data and continues to execute code); not a system crash/reboot (frozen/reset).

The Examiner cites Kawai as teaching a camera drive control unit having "a second control state under which the camera unit is driven to move into engagement with a resetting unit".

It is respectfully submitted that this is not the case. Claim 1 includes a camera drive control unit that has "a second control state under which the camera unit is driven to move into engagement with a resetting unit". There is no such characteristic in Kawai. Kawai does not use the camera unit physically engaging a reset unit to reset a micro-computer unit. Kawai simply returns to the initial camera position at the end of a session, something it could not do if its micro-computer was frozen.

The Examiner cites Kawai as teaching "setting the camera drive control unit to take a first control state when receiving the regular state signal while setting the drive control unit to take the second state when not receiving the regular state signal".

It is respectfully submitted that this is not the case. There is no indication in Kawai that the state of the camera state setting unit is dependent on receiving a "regularly repeating state signal".

The Examiner cites Smith as teaching "resetting from one state to another state in response to engagement with the camera unit".

However, Smith is simply using limit switches to provide input to some logic circuitry. The states involved in Smith are not between a regular state and a frozen state. If Smith was "frozen" there would be no reset from the limit switches.

The Examiner cites Shibata as teaching a watchdog timer for use with the limit switches of Smith.

However, there would be no reason to combine the two, as the watchdog of Shibata directly resets the attached microcomputer and Smith does not have a micro-computer unit to reset.

It is respectfully submitted that based on not having all of the claimed elements in the cited references and the lack of reasons to combine the references, claim 1 is allowable. The processing of Kawai does not contain all of the processing elements of claim 1 and any advantages in combining the references would only be apparent in impermissible hindsight.

As claims 2-7 are dependent on claim 1, it is respectfully submitted that these claims are also allowable and any outstanding rejections are now moot and will not be further addressed.

In view of the discussion of claim 1, it is respectfully submitted that claim 8 is also allowable.

Attachment to Form PTO/SB/33

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In view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance.